

U.S. Application No. 10/057,816, filed January 24, 2002
Attorney Docket No. 14419US01
Response dated June 26, 2008
In Response to Office Action mailed May 14, 2008

REMARKS

Claims 26-31, 75, 76, 78-89, 91-101, 103-112, 115-126, 128-140 and 142-156 are pending.

Claims 26-31 are allowed.

Claims 75, 76, 78-89, 91-101, 103-112, 115-126, 128-140 and 142-156 stand rejected on the grounds of a nonstatutory double patenting rejection.

Applicants respectfully submit a timely filed terminal disclaimer and respectfully request that the nonstatutory double patenting rejection be withdrawn.

It is believed that the present application is in condition for allowance.

Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicants do not necessarily agree or disagree with the Examiner's characterization of the alleged support of recited claim elements in particular disclosures or of the alleged effective filing dates of the claimed inventions. Applicants respectfully reserve the right to argue the effective filing dates of the claimed inventions and any other priority issues should that need arise in the future.

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is

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in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: June 26, 2008

Respectfully submitted,

/Michael T. Cruz/
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